



least two satellites having a trajectory and relative orbit. The satellite constellation has a second coverage. The second coverage provides maximum coverage at predetermined local peak times for the set of predetermined geographic locations. This is accomplished by determining a tilted trajectory for each of the satellites to which they are reoriented.

Put another way, the satellite constellation includes plurality of satellites which have a first coverage. For example, the first coverage may be Los Angeles and the satellites in accordance with the first coverage provide coverage to that geographic area from 9:00 a.m. to 2:00 p.m. due to their period of orbit and trajectory. However, in accordance with the present invention the satellite constellations are modified through the tilting of each of the satellites to provide coverage at Los Angeles from 5:00 a.m. to 6:00 p.m., which would be its predetermined local peak times. This provides maximum coverage to Los Angeles or any other peak area during its local peak times. Through programming, command signals can be utilized to modify the trajectory of the satellites for a variety of other geographic locations as required, as well as a variety of other peak times.

Drain does not teach nor suggest Applicants' claimed invention. Instead, Drain discloses a continuous coverage satellite constellation. Contrary to the Examiner's contention, Drain does not disclose "a satellite constellation(s) covering a specific geographic area at a predetermined local peak time". Instead, Drain discloses a satellite constellation that provides continuous coverage to all areas. Conversely, Applicants' claimed invention does not teach continuous coverage and is concerned with maximizing coverage at certain locations during times of high usage.

Similarly, Westerlund does not teach nor suggest Applicants' claimed invention. Westerlund teaches orienting a spin axis of a satellite to compensate for any correction necessary due to deviation of the satellite from its desired target. The purpose for this reorientation is to prevent the use of thrusters and thus conserve fuel. Thus, even if the Examiner were correct regarding his interpretation of the Westerlund reference, the purpose for Westerlund is entirely different and there is no suggestion to combine it with Drain as they address entirely different problems.

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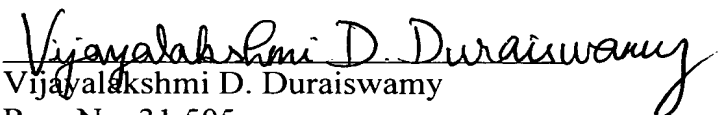
Therefore, neither Draim nor Westerlund -- nor any of the other references of record -- teach tilting a satellites in a satellite constellation having a first coverage to provide a second coverage that provides maximum coverage at local "peak" times. The peak times are when there are more users and thus more of a need for increased coverage.

Accordingly, it is respectfully requested that the Examiner reconsider and withdraw his rejections of claim 1, 10, and 20. These objections constitute impermissible hindsight reconstruction. It is respectfully submitted that claims 2-9, 11-19 and 21 are allowable for the same reasons provided above in connection with the claims from which they depend.

It is therefore submitted that all pending claims are in condition for allowance and a Notice of Allowance is therefore solicited.

If the Examiner should have any questions, he is urged to contact the undersigned.

Respectfully submitted,


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Date: June 21, 2001

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